

CONTINUATION OF CRIMINAL COMPLAINT

I, Thomas A. Schifini, being first duly sworn, depose and say:

1. I am a Special Agent (SA) with U.S. Homeland Security Investigations (HSI), with twenty-five (25) years of experience as a federal agent, duly appointed according to law and acting as such. I am assigned to the Grand Rapids Assistant Special Agent in Charge (ASAC). As part of my duties, I conduct criminal investigations relating to violations of the laws of the United States. I have successfully completed the U.S. Border Patrol/FLETC Academy in Charleston, South Carolina. I possess a bachelor's degree in Criminal Justice from John Jay College of Criminal Justice with a minor in Police Operations and Management and a Juris Doctor from the University of Akron School of Law with a specialization in Criminal Law.

2. As a Special Agent, I am responsible for enforcing federal criminal statutes including the sexual exploitation of children, pursuant to Title 18, United States Code. I have received training and actual experience relating to Federal Criminal Procedures, Federal Statutes, and HSI Regulations. I have received training and instruction in the field of investigation of the sexual exploitation of children and have had the opportunity to participate in numerous investigations relating to the sexual exploitation of children. The information contained within the continuation is based on my training and experience, and information obtained from other law enforcement agents involved with this investigation, including the United States Marshals Service (USMS) and U.S. Probation & Pretrial Services.

3. This continuation is made in support of criminal complaint charging CHARLES GREGORY MARTIN, JR., with possession of child pornography, in

violation of 18 U.S.C. § 2252A(a)(5)(B).

4. Because this continuation is being submitted for the limited purpose of establishing probable cause, I have not included every detail of every aspect of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause to obtain a criminal complaint and arrest warrant. Unless specifically indicated, all conversations and statements described in this continuation are related in substance and in part.

5. As a result of the instant investigation described more fully below, there is probable cause to believe that CHARLES GREGORY MARTIN, JR., possessed child pornography in violation of 18 U.S.C. § 2252A (a)(5)(B).

SUMMARY OF INVESTIGATION

6. In December 2013, Charles G. MARTIN JR was investigated by the Grand Traverse County Sheriff's Department after making statements to co-workers regarding the viewing of child sexually abusive material or CSAM. MARTIN voluntarily appeared for questioning regarding the allegations. MARTIN admitted to investigators that he had searched for and viewed CSAM while utilizing multiple electronic devices. A forensic analysis of his electronic items disclosed over 600 images of CSAM, which consisted of images of adult men sexually abusing prepubescent females.

7. In July 2015, MARTIN was convicted in federal court of violating Title 18, United States Code Section 2252(A)(2)(A), Knowingly Receiving or Distributing Child Pornography. (Case no. 1:14-CR-111.) MARTIN served his custodial sentence, was released from the Bureau of Prisons, and commenced Supervised Release on January

14, 2022. According to the U.S. Probation Office, MARTIN violated his supervision on multiple occasions. His violations included unauthorized use of a cellular telephone and/or internet devices or unauthorized contact with a minor child. The violations caused MARTIN to be placed into the Kalamazoo Probation Enhancement Program (KPEP) in March 2022.

8. While at KPEP, MARTIN reported his phone was lost or stolen. MARTIN reportedly received a note at some point from another resident indicating they were aware he had an unauthorized phone and it contained child pornography. The note also stated if he did not pay them a set amount of money, they would turn MARTIN in to law enforcement. KPEP staff subsequently found a cell phone that was left in a staff member's office while they had walked out. The phone appeared to belong to MARTIN based on personally identifying information found on the phone. Investigators also located dozens of images of nude children between the ages of 3 to 15 years old. MARTIN was interviewed by Kalamazoo County Detectives and stated that he had been able to procure five (5) unauthorized cellular telephones since being at KPEP. MARTIN stated during the interview he had utilized an unauthorized cellular telephone and downloaded images of female children, which he saved to a SD card. MARTIN used the SD card in the unauthorized cellular telephones to view the images of children for his sexual gratification. State of Michigan criminal charges are pending based on the CSAM images located on MARTIN's cell phone.

9. On July 5, 2023, MARTIN was convicted in the U.S. District Court for the Western District of Michigan for the federal supervised release violations. Judge Jonker

sentenced MARTIN to ten (10) months of incarceration. MARTIN was housed in the Newaygo County Jail in White Cloud, Michigan.

10. On July 10, 2023, Sgt. Cook of the Newaygo County Sheriff's Office received a note from an anonymous detainee with information regarding MARTIN. The information indicated that Charles MARTIN had been bragging to other detainees about a tiny SD card that was hidden in one of his pockets during his arrest. MARTIN allegedly told the detainees that the police did not find the SD card, which he stated contained CSAM. Sgt. Cook then re-searched MARTIN's clothing and found the tiny 64GB SD card in a shirt pocket. Sgt. Cook placed the anonymous letter and the 64GB SD card into evidence and subsequently turned it over to Deputy Benjamin Walkington of the U.S. Marshals Service. On July 12, 2023, I took possession of the seized 64GB SD card and letter from the Grand Rapids office of the USMS.

11. On July 19, 2023, a federal search warrant was issued out of the U.S. District Court for the Western District of Michigan (1:23-mj-332) authorizing analysis of the seized 64GB SD card found in MARTIN's clothes by jail officials. I conducted a forensic analysis of the 64GB SD card after obtaining the judicially signed search warrant. The 64GB SD card did not appear to contain any CSAM or other potentially evidentiary items.

12. On July 19, 2023, I called Newaygo County Sheriff's Office Sgt. David Cook and asked if he could search MARTIN's personal belongings again for any other hidden micro-SD cards. Sgt. Cook responded appropriately thirty (30) minutes later and stated that he had located an additional 128GB micro-SD card in the other shirt pocket of

MARTIN's clothes. Sgt. Cook stated that it was difficult to retrieve as it was placed deep in the corner of the pocket.

13. On July 20, 2023, I took possession of the Rapid Speed 128GB micro-SD card from Sgt. Cook. I photographed the micro-SD card and lodged it into evidence at the HSI Grand Rapids office.

14. On July 21, 2023, I obtained another federal search warrant authorizing the search of the 128GB micro-SD card. (1:23-MJ-342.) I conducted a forensic examination of the 128GB micro-SD card and found more than one hundred videos and images of child pornography. The videos include depictions of children some of whom appear to be as young as 4 or 5 years old engaging in sex acts with adult males, including vaginal and anal penetration. The Rapid Speed 128GB micro-SD card is stamped "Made in Taiwan."

CONCLUSION

15. Based on the above information, there is probable cause to believe that CHARLES GREGORY MARTIN, JR., possessed child pornography, in violation of 18 U.S.C. § 2252A (a)(5)(B).